



regularly scheduled hours is false, fraudulent and entirely without merit.

1. Do any of you know the named plaintiffs, Jose Barragan Contreras, Juan Alonzo Orellana, Jorge Yopez, or anyone else who has ever worked for Rosann Landscape Corp. or A.F.A. Management Corp.?
2. Do any of you know defendant Ana Maria Birlescu?
3. Have you, any member of your family or any of your friends or acquaintances ever worked for or had any personal or business dealings with Rosann Landscape Corp., a company engaged in the landscaping business, or A.F.A. Management Corp., a real estate management company or Ana Maria Birlescu? If so, please describe such dealings.
4. Do you know anyone who has ever worked for Rosann Landscape Corp. or A.F.A. Management Corp. or Ana Maria Birlescu?
5. Would any of you have any difficulty finding in favor of defendants if plaintiffs fail to prove their case by a preponderance of the evidence at trial?
6. Would any of you be inclined to grant monetary damages to the plaintiffs even if they fail to prove their case by a preponderance of the evidence at trial?
7. Would any of you have any difficulty returning a verdict in favor of the defendants if the evidence at trial dictated the return of such a verdict?
8. Would any of you consider yourself “pro-labor” in the context of disputes between employees and employers?
9. Do any of you feel that hourly workers are treated unfairly by employers?
10. Do any of you feel or believe that underpayment of wages to hourly manual

workers is common place?

11. Do any of you feel that as a general matter employees are underpaid?
12. Do you know any of the attorneys or law firms in this case?
  - a. Jeffrey M. Bernbach, of Bernbach Law Firm PLLC, will represent the defendants. He is an attorney with offices in White Plains, New York and previously with offices in New York City.
  - b. The Worker Justice Center of New York, as represented by Robert McCreanor and Maureen Hussein, with offices in Kingston, N.Y., will represent the plaintiffs.
  - c. David Tykulsker, with offices in New Jersey, will also represent plaintiffs.
  - d. Hudson Valley Justice Center, with offices in Westchester, formerly represented plaintiffs.
13. I am going to read a list of names of people and companies who may be called as witnesses in this case. While we do not expect that all of these potential witnesses will testify in this trial, we need to learn from you if you know any of them. Please raise your hand if you think you know anyone on this list:

(1) Jose Barragan Contreras

(2) Juan Alonzo Orellana

(3) Jorge Yopez

(4) Ana Maria Birlescu

(5) Efrain Flores

(6) Emiliano Benitez

- (7) Steve Reyes
- (8) Lori Wisseman
- (9) Abimael Beltran
- (10) Robert McCreanor
- (11) Maureen Hussein
- (12) David Tykulsker
- (13) Augustine Iniguez
- (14) Manuel Argueta
- (15) Global Digital Forensics
- (16) LeFrak Corporation
- (17) Ken Wolkin
- (18) TD Bank
- (19) Exxon/Mobile
- (20) PayChex
- (21) EzPass

14. As to any juror indicating that he or she knows any potential witness:

- a. Which person or persons or companies do you know?
- b. How do you know the person(s) or company?

15. Do any of you speak Spanish?

16. I ask that each member of the panel state his or her occupation and place(s) of employment for the past ten years, as well as the type of work he or she performed at each of his or her jobs during that time.

16. Have you ever worked for any landscape or real estate management corporations?
17. In any of your jobs over the last ten years, have you been supervised by other employees?
18. Have you ever been disciplined or discharged by an employer? If so, please describe the circumstances of such involvement.
19. Have you ever been denied base pay or overtime pay which you believed you were entitled to? If so, please describe the circumstances of such denial.
20. Have you ever accused anyone of denying you pay to which you believed you were entitled? If so, please describe the relevant circumstances.
21. Do you belong to any associations, organizations or the like? If so, which ones?
22. What publications do you regularly read?
23. What publications do you occasionally read?
24. What type of radio or television shows do you regularly listen to or watch?
25. What type of internet sites do you regularly visit?
26. Have you ever sued or been sued in court in any type of case (including a pay or wage and overtime claim case)? If so,
  - a. What type of case was it?
  - b. Were you the person suing or the person being sued?
  - c. Was the case before a judge or jury?
  - d. How did the handling of the case make you feel about the judicial process in general?

27. Have you ever served on a jury before? If so,
- a. When?
  - b. For what type of case?
  - c. Did you and your fellow jurors deliberate?
  - d. Did you and your fellow jurors reach a verdict?
  - e. How did you feel about the manner in which the lawyers in the case conducted themselves?
28. Is there anything at all that you can think of that would prevent, or possibly prevent, you from being completely fair and impartial in this case and judging the case solely on the evidence presented?

Dated: October 12, 2020

BERNBACH LAW FIRM PLLC

By: 

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